

MINUTES
SAN DIEGO COUNTY PLANNING COMMISSION
Regular Meeting – February 24, 2006
DPLU Hearing Room, 9:00 a.m.

The meeting convened at 9:07 a.m. and adjourned at 10:27 a.m.

A. ROLL CALL

Commissioners Present: Beck, Brooks (arrived at 9:23 a.m.), Day, Miller, Riess, Woods

Commissioners Absent: Kreitzer

Advisors Present: Beech (DPW); Taylor (OCC)

Staff Present: Caldwell; Cibit; Esperance; Loy; McCaffery; Muto; Stephenson; Turner; Jones (recording secretary)

B. Statement of Planning Commission's Proceedings, Approval of Minutes for the Meeting of February 10, 2006

Action: Riess – Beck

Approve the Minutes of February 10, 2006.

Ayes: 5 - Beck, Day, Miller, Riess, Woods
Noes: 0 - None
Abstain: 0 - None
Absent: 2 - Brooks, Kreitzer

C. Public Communication: Opportunity for members of the public to speak to the Commission on any subject matter within the Commission's jurisdiction but not an item on today's Agenda.

There were none.

D. Formation of Consent Calendar: Items 3 and 5

TM 5448RPL⁵, Agenda Item 1:

1. Dale Point Condominium Conversion, Tentative Map (TM) 5448RPL⁵, Valle de Oro Community Planning Area

Request for a Tentative Map for a one-lot condominium conversion. The Tentative Map proposes to convert 16 existing residential units into a 16-unit condominium complex. The 0.56-acre site is located in the (1.1) Current Urban Development Area (CUDA) Regional Category and the (9) Residential (43 dwelling units per are) Land Use Designation of the General Plan. The project site is zoned (RU29) Urban Residential Land Use Regulation, allowing 29 dwelling units per acre, and is located at 9859 Dale Avenue.

Staff Presentation: Caldwell

Proponents: 2; **Opponents:** 1; **Neutral:** 1

Discussion:

The Valle de Oro Planning Group chairman insists that the proposal doesn't meet Subdivision Ordinance requirements regarding individual gas meters. He also states that onsite parking provisions are inadequate. The Planning Group chairman voices great concern about the increase in condominium conversions and how such action displaces renters. He insists that DPLU must ensure that these projects meet CEQA requirements, and states these projects create a potentially significant impact on the availability of rental property. The Planning Group chairman is adamant that condominium conversion projects should no longer be exempted from CEQA review because displacement of the renters is a direct and cumulative impact. He reminds the Commissioners that the County is required by the State to provide low and moderate income housing; however, renters who cannot afford to purchase these converted units are forced into smaller and smaller rental markets. In addition, the Planning Group chairman states the existing landscaping does not meet new-development requirements.

Staff reminds the Commission that the Valle de Oro Planning Group chairman's concerns regarding displacement of current tenants and their inability to purchase the converted units are of a social and economic nature, and not subject to CEQA review. The applicant's representative insists that many of the current tenants will be purchasing these units. With respect to other issues raised by the Planning Group chairman, Staff has determined that the parking

TM 5448RPL⁵, Agenda Item 1:

provisions are adequate, clarifying that there are a total of 27 parking spaces, including three on-street spaces. The applicant's representative concurs with Staff, insisting that all the requirements of the Zoning Ordinance have been met and informing the Planning Commission that electric meters for each unit can be installed, if the Commission deems it necessary.

Staff further explains that condominium conversion proposals are exempt from CEQA review because the structures already exist. No external improvements being proposed for this project, and there is no evidence that the condominium conversion proposals approved by the County of San Diego are creating a problem. Staff does not believe additional landscaping provisions are required because no changes to the exterior of the complex are proposed. However, it is later determined by County Counsel that the landscaping must meet new-development requirements of the Zoning Ordinance. Counsel also clarifies the legal deadlines and timeframes with which the applicant must comply, for the benefit of a tenant of the apartment complex who is unsure of how soon he must vacate his apartment if this application is approved.

Commissioner Miller explains that this proposal will merely result in a change in property ownership, not a change in use. Commissioner Beck notes that there will be a significant change in housing affordability for the current tenants, as there is a very large contrast between paying rent and having the funds to purchase a several hundred-thousand-dollar unit.

Action: Woods – Riess

Continue consideration of TM 5448RPL⁵ to the meeting of March 10, 2006, to allow additional review of zoning requirements for landscaping.

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| Ayes: | 6 - | Beck, Brooks, Day, Miller, Riess, Woods |
| Noes: | 0 - | None |
| Abstain: | 0 - | None |
| Absent: | 1 - | Kreitzer |

TM 5397, Agenda Item 2:

2. Sandstone Condominium Conversion, Tentative Map (TM) 5397, Spring Valley Community Planning Area

Request for a Tentative Map for a one-lot condominium conversion. The Tentative Map proposes to convert 30 existing residential units into a 30-unit condominium complex. The subject property measures 1.07 acres in size and is in the (1.1) Current Urban Development Area (CUDA) Regional Category, and the (9) Residential (43 dwelling units per acre) Land Use Designation of the General Plan. The project site is zoned (RU29) Urban Residential Use Regulation, allowing 29 dwelling units per acre, and is located at 9210 and 9220 Kenwood Drive.

Staff Presentation: Caldwell

Proponents: 3; **Opponents:** 0

Discussion:

Staff has recommended that the Planning Commission deny this Tentative Map because the Findings of the Site Plan haven't been satisfied. Twenty of the 30 units don't meet the 100-foot open space requirement, and the Planning Commissioners are somewhat surprised to hear that the applicant has already made substantial improvements to the units and has already gutted some of them. They are also somewhat surprised that the applicant's representatives provided them with misinformation regarding the Planning Group representatives' position on this proposal.

The applicant's representative contends that new Conditions were placed on the project after other Conditions had been met. He alleges that the application was deemed complete in July 2000, but the applicant was informed in October 2005 that the Planning Group requires "B" Site Plan review on all condominium conversion proposals. The applicant maintains that no other condominium conversion proposal has been required to provide 100 feet of open space per unit, and insists that compliance with this requirement would not be beneficial financially and raises liability issues. He believes adequate open space already exists, in that the property contains a tot-lot, pool, picnic areas and other open space. The Planning Commissioners would rather that the applicant at least attempt to meet the Site Plan requirements, but the applicant is quite unwilling to do so.

TM 5397, Agenda Item 2:

Action: Woods – Riess

Adopt the Resolution denying TM 5397 for the reasons stated in Staff's Report.

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| Ayes: | 6 - | Beck, Brooks, Day, Miller, Riess, Woods |
| Noes: | 0 - | None |
| Abstain: | 0 - | None |
| Absent: | 1 - | Kreitzer |

P02-002, Agenda Item 3:

3. Centro Cristiano Church, Major Use Permit P02-002, North County Metropolitan Subregional Plan Area

Proposed religious assembly use consisting of a 5,040 square-foot sanctuary building, a 6,440 square-foot fellowship hall and Sunday School building, 72 parking spaces including four handicap spaces, 16 bicycle slots, and assorted landscape improvements on a 3.95-acre lot. The single-story sanctuary building will include an assembly area, office, infant/toddler room, restroom facilities, and a main meeting room with a stage. The building will measure 26.5 feet tall with a 46-foot tall steeple. The fellowship hall and Sunday School building will be two stories tall, and will include an open assembly area with portable room dividers for three classrooms, a kitchen, restrooms, and will measure 27 feet tall to the top of the roof. All parcels will be on septic. The subject property has a General Plan designation of (1) Residential and a zoning Use Regulation of Rural Residential (RR1), and is located at the northwest corner of Calavo Drive and Deodar Road.

Staff Presentation: McCaffery

Proponents: 0; **Opponents:** 0

This Item is approved on consent.

Action: Beck – Riess

Grant Major Use Permit P02-002, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in a manner consistent with the Zoning Ordinance and State law.

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| Ayes: | 5 - | Beck, Day, Miller, Riess, Woods |
| Noes: | 0 - | None |
| Abstain: | 0 - | None |
| Absent: | 2 - | Brooks, Kreitzer |

**TM 5355RPL³, P02-002, AD 94-059
and R04-021, Agenda Item 4:**

4. Carriage Hill Planned Residential Development, Tentative Map (TM) 5355RPL³, Major Use Permit P04-002, Administrative Permit AD 94-059 and Zone Reclassification R04-021, Sweetwater Community Planning Area

Proposed major subdivision of 10.17 acres into 19 single-family residential lots, one usable open space lot, and a private street lot. Proposed lot sizes range from 0.25 to 0.56 acres for all residential lots except for a proposed 2.7-acre lot to retain the historic Ulysses S. Grant Jr. residence, to which a detached caretaker's quarters is proposed by Administrative Permit as an accessory living unit. A Zone Reclassification is proposed to apply an "H" Historic Landmark Special Area Regulation to the Grant house lot in order to require Site Plan review of any proposed structural changes. A concurrent Major Use Permit establishes a Planned Residential Development with structural setbacks to include a Victorian garden and pool as recreational open space in exchange for clustered residential density. The subject property is zoned RR Rural Residential Use Regulations, is designated (3) Residential, and is located at 5771 Sweetwater Road in Bonita.

Staff Presentation: Gowens

Proponents: 0; **Opponents:** 0

This Item is approved on consent following clarification that the proposed horse trail meets the requirements of the Sweetwater Community Plan, and is designed to link with an existing recorded trail easement on property to the south of the project site.

Action: Riess – Miller

1. Recommend that the Board of Supervisors adopt the Form of Ordinance changing the zoning classification of certain property in the Sweetwater Plan Area (Ref. R04-021);

**TM 5355RPL³, P02-002, AD 94-059
and R04-021, Agenda Item 4:**

2. Adopt the Resolution approving Tentative Map (TM) 5355RPL³, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in a manner consistent with the Subdivision Ordinance and State law;
3. Grant Major Use Permit P04-002, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in a manner consistent with the Zoning Ordinance and State law; and
4. Grant Administrative Permit AD 04-059, which makes the appropriate Findings and includes those requirements and Conditions necessary to ensure that the project is implemented in a manner consistent with the Zoning Ordinance and State law.

Ayes: 5 - Beck, Day Miller, Riess, Woods
Noes: 0 - None
Abstain: 0 - None
Absent: 2 - Brooks, Kreitzer

R06-001, Agenda Item 5:

5. Olivenhain Municipal Water District Pipeline Easement, Zone Reclassification R06-001, San Dieguito Community Planning Area

Proposed Zone Reclassification to change the Use Regulation of one parcel within the Rancho Cielo Specific Plan from RR1 to S88. The Zone Reclassification will ensure that only community recreation uses consistent with the Specific Plan will be permitted on this parcel. This is a technical correction to provide consistency between the Specific Plan and zoning. The project site is located west of Via Ambiente and south of Paseo Esplanada.

Staff Presentation: Muto

Proponents: 1; **Opponents:** 0

This Item is approved on consent.

Action: Beck – Riess

1. Recommend that the Board of Supervisors adopt the Form of Ordinance changing the zoning classification of certain property in the San Dieguito Community Planning Area, Ref. R06-001; and
2. Find that the Planning Commission has reviewed and considered the information contained in the final Environmental Impact Report (EIR) certified December 9, 1981, supplemental EIR certified August 8, 1984, and Addendum thereto dated February 7, 2006 prior to making its decision on the project.

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| Ayes: | 5 - | Beck, Day, Miller, Riess, Woods |
| Noes: | 0 - | None |
| Abstain: | 0 - | None |
| Absent: | 2 - | Brooks, Kreitzer |

TM 5278, Agenda Item 6:

6. Anderson, Tentative Map (TM) 5278, San Dieguito Community Planning Area

Proposed major subdivision to create six parcels on an 18.98-acre parcel located at Aguilera and Elfin Forest Road. Access to each lot would be provided by a private road connecting to Aguilera Lane. The project would be served by onsite septic systems and imported water from the Olivenhain Municipal Water District. Earthwork would consist of cut and fill of 4,750 cubic yards of material. The proposed use of the lots would be residential. There are two mobile homes, an agricultural warehouse and a greenhouse onsite, all of which are proposed to remain.

Staff Presentation: Stevenson

Proponents: 0; **Opponents:** 0

This Item was removed from the Planning Commission's Agenda to allow submittal and review of information required by Staff.

Action: Woods – Miller

Withdraw TM 5278 from today's Agenda, as recommended by Staff.

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| Ayes: | 5 - | Beck, Day, Miller, Riess, Woods |
| Noes: | 0 - | None |
| Abstain: | 0 - | None |
| Absent: | 2 - | Brooks, Kreitzer |

Administrative:

E. Director's Report on 2006 Privately-Initiated GPA schedule.

Staff will provide the Planning Commission with quarterly reports on 2006 privately-initiated GPAs.

F. Report on actions of Planning Commission's Subcommittees:

There were none.

G. Designation of member to represent the Planning Commission at Board of Supervisors meeting(s):

Chairman Day will represent the Planning Commission at the March 1, 2006 Board of Supervisors meeting.

H. Discussion of correspondence received by the Planning Commission:

There was none.

Department Report

I. Scheduled Meetings:

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|----------------|---|
| March 24, 2006 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| April 7, 2006 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| April 21, 2006 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| May 5, 2006 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| May 19, 2006 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| June 2, 2006 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| June 16 2006 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |

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**TM 5355RPL³, P02-002, AD 94-059
and R04-021, Agenda Item 4:**

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| June 30, 2006 | Planning Commission Workshop, 9:00 a.m., DPLU Hearing Room |
| July 14, 2006 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| July 28, 2006 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| August 11, 2006 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| August 25, 2006 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| September 8, 2006 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| September 22, 2006 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| October 6, 2006 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| October 20, 2006 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| November 3, 2006 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| November 17, 2006 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| December 1, 2006 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |
| December 15, 2006 | Regular Meeting, 9:00 a.m., DPLU Hearing Room |

There being no further business to be considered at this time, the Chairman adjourned the meeting at 10:27 a.m. to 9:00 a.m. on March 10, 2006 in the DPLU Hearing Room, 5201 Ruffin Road, Suite B, San Diego, California.